

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61234 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- DOBHI District- Gaya

Sharvan Kumar @ Dr. Sharvan Kumar Son of Raju Saw Resident of Village -
Sobh, Police Station - Barachatti, District - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 318 (4), 338 and 336 (3)
of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that the infor-
mant, who was a Medical Officer, upon inspection of Janta Den-
tal Ortho Center found that three patients were under treatment
of Dilatation and Curettage (DNC) procedure. It was informed
that petitioner is the owner of the said clinic who was not
present and the relevant documents have not been produced by
his brother.

4. It is submitted by learned counsel for the peti-
tioner that the petitioner has falsely been implicated on account



of a dispute with other medical practitioner including the Medical Officer, hence the said prosecution was attended by a *mala fide*. As a matter of fact, the petitioner did not conduct any surgery on any patient and he is neither authorized nor trained to do DNC procedure. It is further submitted that there is a hospital next to the clinic of the petitioner where such operations are being conducted and the petitioner confines himself only to primary nursing and first aid services. The petitioner is languishing in custody since 31.03.2025 and the chargesheet has been submitted.

5. Learned APP for the State opposed the bail petition on the basis of the allegations made in the F.I.R. and further that the petitioner has three criminal antecedents. In response to this, it is submitted that the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances of the case as well as the fact that the petitioner is a medical practitioner and the chargesheet has been submitted, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dobi P.S. Case No.256 of 2024, subject to



the conditions that :

(i) The petitioner shall remain physically present in court on each and every date till the framing of charge and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(ii) In future, if the petitioner is found to be accused in any case of similar nature of the offence, the learned Court concerned shall be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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